

File No. 633

(Reprint of File No. 133)

Substitute House Bill No. 5560
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 29, 1998

AN ACT ESTABLISHING THE CONNECTICUT BOXING
PROMOTION COMMISSION AND CONCERNING BOXING
REFEREES AND CERTAIN TECHNICAL REVISIONS TO THE
BOXING STATUTES.

Be it enacted by the Senate and House of
Representatives in General Assembly convened:

1 Section 1. Section 21a-196 of the general
2 statutes is repealed and the following is
3 substituted in lieu thereof:

4 (a) AS USED IN THIS CHAPTER, AS AMENDED BY
5 THIS ACT, AND SECTION 12 OF THIS ACT,
6 "COMMISSIONER" MEANS THE COMMISSIONER OF CONSUMER
7 PROTECTION.

8 [(a)] (b) The [Commissioner of Consumer
9 Protection] COMMISSIONER shall have sole control
10 of and jurisdiction over all boxing exhibitions
11 and wrestling bouts held, conducted or given
12 within the state by any person or persons, club,
13 corporation or association, except amateur boxing
14 exhibitions or wrestling bouts held under the
15 supervision of any school, college or university
16 having an academic course of study or of the
17 recognized athletic association connected with
18 such school, college or university or amateur
19 boxing exhibitions and wrestling bouts held under

20 the auspices of any amateur athletic association
21 that has been determined by the commissioner to be
22 capable of ensuring the health and safety of the
23 participants; provided [that] the commissioner may
24 at any time assume jurisdiction over any amateur
25 boxing exhibition or wrestling bout if he
26 determines that the health and safety of the
27 participants is not being sufficiently
28 safeguarded. The commissioner may appoint
29 inspectors who shall, on the order of the
30 commissioner, represent him at all boxing
31 exhibitions and wrestling bouts. The commissioner
32 may appoint a secretary who shall prepare for
33 service such notices and papers as may be required
34 and perform such other duties as the commissioner
35 directs.

36 [(b)] (c) The commissioner or his authorized
37 representative may: (1) Issue subpoenas to any
38 person involved in any matter under investigation
39 PURSUANT TO THIS CHAPTER, AS AMENDED BY THIS ACT;
40 (2) subpoena documentary material relating to any
41 such matter; (3) administer an oath or affirmation
42 to any person, or (4) conduct hearings in aid of
43 any SUCH investigation, provided none of the
44 powers conferred by this chapter, AS AMENDED BY
45 THIS ACT, shall be used for the purpose of
46 compelling any natural person to furnish testimony
47 or evidence which might tend to incriminate him or
48 subject him to a penalty or forfeiture. If any
49 person fails or refuses to obey any such subpoena,
50 the commissioner, after giving notice, may apply
51 to the superior court for the judicial district of
52 Hartford-New Britain* which court, after a
53 hearing, may issue an order requiring such person
54 to obey such subpoena or any part of such
55 subpoena. Any disobedience of a final order of any
56 court under this section shall be punished as
57 contempt.

58 [(c)] (d) The commissioner shall [make] ADOPT
59 such regulations IN ACCORDANCE WITH CHAPTER 54 as
60 [he] THE COMMISSIONER deems necessary and
61 desirable for the conduct, supervision and safety
62 of boxing exhibitions, including the licensing of
63 the sponsors and the participants of such BOXING
64 exhibitions, AND FOR THE DEVELOPMENT AND PROMOTION
65 OF THE SPORT OF BOXING IN THIS STATE, INCLUDING,
66 BUT NOT LIMITED TO, REGULATIONS TO IMPROVE THE
67 COMPETITIVENESS OF THE SPORT OF BOXING IN THIS

68 STATE RELATIVE TO OTHER STATES. Such regulations
69 shall require fees for the issuance of licenses to
70 such sponsors and participants as follows: (1) For
71 referees, a fee of not less than sixty-three
72 dollars; (2) for matchmakers and assistant
73 matchmakers, a fee of not less than sixty-three
74 dollars; (3) for timekeepers, a fee of not less
75 than thirteen dollars; (4) for professional
76 boxers, a fee of not less than thirteen dollars;
77 (5) for amateur boxers, a fee of not less than
78 three dollars; (6) for managers, a fee of not less
79 than sixty-three dollars; (7) for trainers, a fee
80 of not less than thirteen dollars; (8) for
81 seconds, a fee of not less than thirteen dollars;
82 (9) for announcers, a fee of not less than
83 thirteen dollars; and (10) for promoters, a fee of
84 not less than two hundred fifty dollars.

85 [(d)] (e) The state, acting by and in the
86 discretion of the commissioner, may enter into a
87 contract with any person for the services of such
88 person acting as an inspector appointed in
89 accordance with the provisions of this section.

90 [(e)] (f) The commissioner may disallow the
91 conduct of any professional wrestling bout if he
92 determines that the health and safety of the
93 participants is not being sufficiently
94 safeguarded.

95 Sec. 2. Section 21a-197 of the general
96 statutes is repealed and the following is
97 substituted in lieu thereof:

98 As used in this section and sections 21a-196,
99 AS AMENDED BY SECTION 1 OF THIS ACT, 53-200 and
100 53-201 "amateur boxing exhibition" means [one] A
101 BOXING EXHIBITION which is no longer than three
102 two-minute rounds in which no contestant has
103 received or is to receive, directly or indirectly,
104 any money, reward or compensation either from the
105 expenses of any amateur boxing program or the
106 expenses of training or for taking part therein.
107 No person shall appear as a contestant in [such]
108 AN amateur boxing exhibition unless he wears
109 protective headgear [,] AND boxing gloves WEIGHING
110 not less than twelve ounces, AND has not, WITHIN
111 TWENTY-FOUR HOURS OF SUCH EXHIBITION, appeared as
112 a contestant [within twenty-four hours or who
113 prior thereto] IN ANY OTHER AMATEUR BOXING
114 EXHIBITION. NO PERSON SHALL APPEAR AS A CONTESTANT
115 IN AN AMATEUR BOXING EXHIBITION IF SUCH PERSON has

116 received any compensation or reward in any form
117 for displaying, exercising, or rendering services
118 of any kind to any athletic organization, or to
119 any person or persons, as trainer, coach [,] OR
120 instructor, or [who otherwise] IF SUCH PERSON may
121 have been employed in any professional capacity by
122 reason of his athletic skill or knowledge. For the
123 purpose of this section, a prize such as a medal,
124 trophy, watch, ring or other jewelry, or articles
125 of wearing apparel may be awarded to any
126 contestant and shall not be considered money,
127 reward or compensation. Any contestant may be
128 reimbursed with money for such reasonable expenses
129 as may be incurred by him in traveling to and from
130 such amateur boxing exhibition, subject to the
131 approval of the [Commissioner of Consumer
132 Protection] COMMISSIONER. The commissioner shall
133 adopt regulations, in accordance with chapter 54,
134 concerning the age of the participants in amateur
135 boxing exhibitions.

136 Sec. 3. Section 21a-198 of the general
137 statutes is repealed and the following is
138 substituted in lieu thereof:

139 (a) The [Commissioner of Consumer Protection]
140 COMMISSIONER may, in his discretion, issue [and,
141 at his pleasure, revoke any] A license to conduct,
142 hold or give any boxing exhibition to any person,
143 persons, club, corporation or association. Before
144 any such license is granted, the applicant shall
145 execute and file with the commissioner a bond in
146 such amount and form and with such surety as is
147 determined by the commissioner, which bond shall
148 be conditioned for the payment of the tax imposed
149 by section 21a-199, AS AMENDED BY SECTION 4 OF
150 THIS ACT. Upon the filing and approval of such
151 bond, the commissioner shall issue to such
152 applicant a certificate of such filing and
153 approval. [, which shall be filed in the office of
154 the commissioner with the application for such
155 license, and no such] NO license shall be issued
156 UNDER THIS SECTION until such [certificate] BOND
157 is filed.

158 (b) THE COMMISSIONER MAY, IN HIS DISCRETION,
159 REVOKE ANY LICENSE TO CONDUCT, HOLD OR GIVE ANY
160 BOXING EXHIBITION ISSUED UNDER THIS SECTION FOR
161 CAUSE AS PROVIDED IN THIS CHAPTER, AS AMENDED BY
162 THIS ACT, OR IN ANY REGULATION ADOPTED UNDER THIS

163 CHAPTER, AS AMENDED BY THIS ACT, IN ACCORDANCE
164 WITH CHAPTER 54.

165 Sec. 4. Section 21a-199 of the general
166 statutes is repealed and the following is
167 substituted in lieu thereof:

168 Any person or combination of persons who, and
169 any club, corporation or association which, holds
170 or promotes any boxing exhibition or wrestling
171 match or exercises any of the privileges conferred
172 by this chapter, AS AMENDED BY THIS ACT, or the
173 regulations adopted [hereunder] UNDER THIS
174 CHAPTER, AS AMENDED BY THIS ACT, shall, within
175 twenty-four hours after the determination of each
176 boxing exhibition or wrestling match: [, furnish
177 to the Commissioner of Consumer Protection] (1)
178 FURNISH TO THE COMMISSIONER a written report
179 verified by such person or combination of persons
180 or by the treasurer and secretary of such club,
181 corporation or association, which report shall
182 include a statement of the number of tickets sold
183 for such exhibition or match, the amount of gross
184 receipts [thereof] FOR SUCH EXHIBITION OR MATCH
185 and such other [facts] INFORMATION as the
186 commissioner prescribes; [, and shall also, within
187 said time,] AND (2) pay to the commissioner a tax
188 of five per cent of the total receipts after
189 federal taxes have been deducted from the paid
190 admissions to such boxing exhibition or wrestling
191 match, which tax shall be paid into the State
192 Treasury.

193 Sec. 5. Section 21a-200 of the general
194 statutes is repealed and the following is
195 substituted in lieu thereof:

196 If any [such] person or combination of
197 persons, club, corporation or association fails to
198 make [such] A report of any contest AS REQUIRED BY
199 SECTION 21a-199, AS AMENDED BY SECTION 4 OF THIS
200 ACT, within the time prescribed by [this chapter]
201 SECTION 21a-199, AS AMENDED BY SECTION 4 OF THIS
202 ACT, or if any such report fails to include
203 sufficient information, the [Commissioner of
204 Consumer Protection] COMMISSIONER may examine, or
205 cause to be examined, the books and records of any
206 such person or combination of persons, club,
207 corporation or association and subpoena and
208 examine under oath such person or officers of such
209 club, corporation or association and other persons
210 for the purpose of determining the total amount of

211 such gross receipts and the amount of tax due
212 pursuant to the provisions of [this chapter]
213 SECTION 21a-199, AS AMENDED BY SECTION 4 OF THIS
214 ACT, which tax he may thereupon fix and determine.
215 In case of default in the payment of any tax
216 ascertained BY THE COMMISSIONER to be due [, with]
217 AND the expenses incurred in making such
218 examination, for a period of twenty days after
219 notice to such delinquent person or combination of
220 persons, club, corporation or association, such
221 delinquent shall forfeit the license issued under
222 [this chapter] SECTION 21a-198, AS AMENDED BY
223 SECTION 3 OF THIS ACT, and shall be disqualified
224 from receiving any new license [and] UNDER SECTION
225 21a-198, AS AMENDED BY SECTION 3 OF THIS ACT. SUCH
226 DELINQUENT shall also forfeit to the state the sum
227 of five hundred dollars.

228 Sec. 6. Section 21a-201 of the general
229 statutes is repealed and the following is
230 substituted in lieu thereof:

231 Any person who, and the officers of any club,
232 corporation or association which, sells or causes
233 to be sold any ticket of admission for any BOXING
234 exhibition or WRESTLING bout in excess of the
235 seating capacity of the room, hall, place,
236 building or structure used for such BOXING
237 exhibition or WRESTLING bout, shall, for the first
238 offense, be fined not more than two hundred
239 dollars, which shall be paid to the state. [; for]
240 FOR a subsequent offense, the club, corporation,
241 association or person or persons shall forfeit
242 its, his or their license ISSUED UNDER SECTION
243 21a-198, AS AMENDED BY SECTION 3 OF THIS ACT,
244 shall be disqualified from receiving any NEW
245 license [thereafter] ISSUED UNDER SECTION 21a-198,
246 AS AMENDED BY SECTION 3 OF THIS ACT, and shall
247 forfeit to the state the sum of five hundred
248 dollars. [, and the] THE officers of any such
249 club, corporation or association, for such
250 subsequent offense, shall be fined not more than
251 two hundred dollars.

252 Sec. 7. Section 21a-202 of the general
253 statutes is repealed and the following is
254 substituted in lieu thereof:

255 The price of admission and of the seats to any
256 BOXING exhibition conducted under the provisions
257 of this chapter, AS AMENDED BY THIS ACT, shall be
258 published in a newspaper published and circulated

259 in the town, city or borough where such BOXING
260 exhibition is to be conducted, if any newspaper is
261 published in such town, city or borough, but, if
262 no newspaper is published in such town, city or
263 borough, such publication shall be made in a
264 newspaper having a substantial circulation in such
265 town, city or borough. [, and] ANY such
266 publication shall be made in at least three
267 separate editions of such paper and in a space not
268 less than two INCHES by three inches in size.

269 Sec. 8. Section 21a-203 of the general
270 statutes is repealed and the following is
271 substituted in lieu thereof:

272 No boxing exhibition shall consist of more
273 than fifteen rounds and each round shall be no
274 longer than three MINUTES nor less than two
275 minutes in duration. In all exhibitions, if a
276 contestant who has been knocked down arises before
277 the count of ten seconds, the referee shall
278 complete a count of eight seconds and assure
279 himself that the contestant is fit to continue.
280 The referee may, in his discretion, order a
281 standing knockdown and a mandatory eight count if
282 a contestant is taking a severe beating and is
283 apparently defenseless but is not knocked down.
284 The standing knockdown shall be treated in all
285 respects, including scoring, as a knockdown. No
286 boxing exhibition shall be conducted unless a
287 referee approved by the [Commissioner of Consumer
288 Protection] COMMISSIONER is in attendance and
289 directs and controls the BOXING exhibition.

290 Sec. 9. Section 21a-205 of the general
291 statutes is repealed and the following is
292 substituted in lieu thereof:

293 (a) No person shall engage in any boxing
294 exhibition as a boxer until he has been examined
295 and found to be physically fit by a competent
296 physician approved by the [Commissioner of
297 Consumer Protection] COMMISSIONER, licensed to
298 practice under the laws of this state and in
299 practice in this state FOR at least two years.
300 Such physician shall be appointed by the
301 commissioner and shall be in attendance throughout
302 the BOXING exhibition for which such examination
303 was made. Such physician shall certify in writing
304 that the contestant is physically fit to engage in
305 such [contest and his fee as decided by said]
306 BOXING EXHIBITION. ANY FEE FOR SUCH PHYSICIAN, AS

307 DETERMINED BY THE commissioner, shall be paid by
308 the person or club, corporation or association
309 conducting such BOXING exhibition.

310 (b) The cost of any physical examination
311 required by this chapter, AS AMENDED BY THIS ACT,
312 or regulations adopted [hereunder] UNDER THIS
313 CHAPTER, AS AMENDED BY THIS ACT, other than [that]
314 AN EXAMINATION required by subsection (a), may be
315 assessed by the commissioner on any boxer examined
316 by a physician appointed by the commissioner or on
317 the person, club, corporation or association
318 conducting the next BOXING exhibition in which the
319 contestant is scheduled to compete.

320 Sec. 10. Section 21a-206 of the general
321 statutes is repealed and the following is
322 substituted in lieu thereof:

323 Any person acting as principal, manager,
324 second, promoter or matchmaker receiving or
325 accepting, directly or indirectly, any money or
326 other valuable thing from any boxer for any
327 special privilege or for discriminating in any
328 manner relating to any BOXING exhibition shall be
329 subject to the penalty prescribed in section
330 21a-211.

331 Sec. 11. Section 21a-210 of the general
332 statutes is repealed and the following is
333 substituted in lieu thereof:

334 No license shall be issued UNDER SECTION
335 21a-198, AS AMENDED BY SECTION 3 OF THIS ACT, to
336 conduct, hold or give any boxing exhibition in any
337 town, city or borough which has adopted any
338 ordinance prohibiting boxing exhibitions within
339 its limits.

340 Sec. 12. (NEW) The commissioner shall select
341 the referees for any boxing exhibition conducted,
342 held or given within this state, except amateur
343 boxing exhibitions held under the supervision of
344 any school, college or university having an
345 academic course of study or of the recognized
346 athletic association connected with such school,
347 college or university or amateur boxing
348 exhibitions held under the auspices of any amateur
349 athletic association that has been determined by
350 the commissioner to be capable of ensuring the
351 health and safety of the participants. All such
352 referees shall be licensed by the commissioner
353 under chapter 419e of the general statutes, as
354 amended by this act, and the regulations adopted

355 by the commissioner under said chapter, in
356 accordance with chapter 54 of the general
357 statutes.

358 Sec. 13. (NEW) (a) There is established the
359 Connecticut Boxing Promotion Commission which
360 shall be within the Department of Consumer
361 Protection for administrative purposes only. The
362 commission shall consist of nine members, three to
363 be appointed by the Governor, one to be appointed
364 by the speaker of the House of Representatives,
365 one to be appointed by the president pro tempore
366 of the Senate, one to be appointed by the majority
367 leader of the House of Representatives, one to be
368 appointed by the majority leader of the Senate,
369 one to be appointed by the minority leader of the
370 House of Representatives and one to be appointed
371 by the minority leader of the Senate. The initial
372 appointments to the commission shall be made not
373 later than November 1, 1998. Notwithstanding the
374 provisions of subsection (c) of section 4-9a of
375 the general statutes, the terms of each member of
376 the commission shall be coterminous with the term
377 of the appointing authority or until a successor
378 is chosen, whichever is later. The appointing
379 authority shall fill any vacancy for the unexpired
380 portion of the term. Members of the commission
381 shall receive no compensation for their services.
382 The commission shall hold at least one meeting
383 each quarter.

384 (b) The commission shall make recommendations
385 to the Governor, the Commissioner of Consumer
386 Protection, the Commissioner of Economic and
387 Community Development and the General Assembly,
388 upon the request thereof or at such time or times
389 as the commission may determine, to encourage,
390 develop and promote the sport of boxing in this
391 state. Such recommendations shall include, but not
392 be limited to: (1) Identifying any legal or
393 administrative impediments to the development of
394 the sport of boxing in this state; (2) identifying
395 ways to improve state and local services designed
396 to support and promote boxing; (3) identifying
397 ways of developing young boxers through amateur
398 boxing clubs and other programs; and (4)
399 developing strategies to assist promoters of
400 small-scale professional boxing events and to aid
401 in the development of a market for large-scale
402 professional boxing events in this state.

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT – BILL NUMBER sHB 5560

STATE IMPACT	Minimal	Cost, see	explanation
	below		

MUNICIPAL IMPACT None

STATE AGENCY(S) Department of Consumer Protection

EXPLANATION OF ESTIMATES:

STATE IMPACT: The passage of this bill is expected to result in minimal costs to the Department of Consumer Protection which can be handled within the anticipated budgetary resources of the agency. The minimal additional costs are associated with developing and publishing the regulations.

Since the members of the commission will not be compensated, establishing the Boxing Commission is not expected to have an immediate fiscal impact on DEP. However, if the demand for administrative and investigatory services increases, there may be a need for an increase in the level of funding in the future.

House "A" made technical changes that will not alter the fiscal impact that was identified in the fiscal note on the original bill.

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OLR AMENDED BILL ANALYSIS

sHB 5560 (as amended by House "A")*

AN ACT ESTABLISHING THE CONNECTICUT BOXING PROMOTION COMMISSION AND CONCERNING BOXING REFEREES AND CERTAIN TECHNICAL REVISIONS TO THE BOXING STATUTES

SUMMARY: This bill establishes a nine-member Connecticut Boxing Promotion Commission within the Department of Consumer Protection (DCP) for administrative purposes only.

The commission must recommend ways to encourage, develop, and promote boxing to the governor, the DCP commissioner, and the General Assembly when they request or when the commission determines. The recommendations must include (1) legal or administrative impediments to the development of boxing, (2) ways to improve state and local boxing support and promotion services, (3) ways to develop young boxers through amateur clubs and other programs, and (4) strategies to help promoters of small professional boxing events and thereby create a market for large professional events.

The bill requires the DCP commissioner to adopt regulations to develop and promote boxing, including regulations to make boxing in Connecticut more competitive with other states. It authorizes the commissioner to revoke licenses to conduct, hold, or give boxing exhibitions for cause rather than at his pleasure. The law makes the license of any club, corporation, association, or person forfeit for failure to pay the 5% tax on admissions receipts.

The bill requires the commissioner to select boxing referees licensed by him for professional boxing exhibitions held in the state. The law already requires a referee approved by the commissioner to direct and control boxing matches and state regulations require boxing referees to be licensed.

*House Amendment "A" makes five technical changes.

EFFECTIVE DATE: October 1, 1998

FURTHER EXPLANATION

Boxing Promotion Commission

The commission's nine members are appointed by the governor (three members) and the House speaker, Senate president pro tempore, and majority and minority leaders of both chambers (one member each). Initial appointments must be made by November 1, 1998. It must meet once each quarter. Despite the law making the terms of members of boards in the executive branch coterminous with the governor's, the bill makes members' terms coterminous with their appointing authority or until a successor is chosen, whichever is later. Vacancies are filled by the appointing authority for the remainder of the unexpired term. Members are not compensated.

BACKGROUND**Legislative History**

The House referred the original bill (File 133) to the Commerce (April 1), Government Administration and Elections (April 13), and Legislative Management (April 18) committees. They reported the bill favorably without change on April 8, 15, and 22, respectively.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute
Yea 16 Nay 0

Commerce Committee

Joint Favorable Report
Yea 26 Nay 1

Government Administration and Elections

Joint Favorable Report
Yea 11 Nay 7

Legislative Management

Joint Favorable Report
Yea 20 Nay 1